

**MINUTES OF THE
AUBURN CITY PLANNING COMMISSION
JANUARY 20, 2004**

The regular session of the Auburn City Planning Commission was called to order on January 20, 2004 at 6:30 p.m. by Chairman Nesbitt in the Council Chambers, 1225 Lincoln Way, Auburn, California.

COMMISSIONERS PRESENT: Hale, McCord, Smith, Chrm. Nesbitt

COMMISSIONERS ABSENT: None.

STAFF PRESENT: Will Wong, Community Development Director;
James Michaels, Associate Planner; Tom Fossum,
Public Works Director; Janet Ferro, Administrative
Assistant

ITEM I: CALL TO ORDER

ITEM II: PLEDGE OF ALLEGIANCE

ITEM III: ELECTION OF PLANNING COMMISSION OFFICERS

A. Traffic Committee Alternate.

The Commissioners felt that this should be postponed until the vacancy on the Planning Commission has been filled, which is expected to be in the very near future.

Comm. Smith **MOVED** to continue this item until the meeting of February 3, 2004.

Comm. McCord **SECONDED**.

The motion was approved unanimously by voice vote.

ITEM IV: APPROVAL OF MINUTES

The minutes of November 18, December 2 and December 16, 2003 were approved as submitted. The minutes of January 6, 2004 were approved as amended.

ITEM IV: PUBLIC COMMENT

None.

ITEM V: PUBLIC HEARING ITEMS

A. Historic Design Review – 160 Harrison Avenue (Maria’s Mexican Tacos #2) – File HDR 04-1. The applicant requests Historic Design Review approval for one wall sign.

James Michaels gave the staff report; he described the size, colors and location of the sign.

The public hearing was opened. There was no one wishing to speak and the public hearing was closed.

Comm. Hale **MOVED** to find the project Categorically Exempt from the California Environmental Quality Act (CEQA) per Section 15311 (Accessory Structure).

Comm. Smith **SECONDED**.

AYES: Hale, McCord, Smith, Chrm. Nesbitt
NOES: None
ABSTAIN: None
ABSENT: None

The motion was approved.

Comm. Hale **MOVED** to approve the proposed sign for Maria’s Mexican Tacos #2 subject to the conditions listed in Exhibit A of the staff report.

Comm. Smith **SECONDED**.

AYES: Hale, McCord, Smith, Chrm. Nesbitt
NOES: None
ABSTAIN: None
ABSENT: None

The motion was approved.

B: Civic Design (Skyridge Courtyard) – 660 Auburn Folsom Road – File #CD 03-7.

The applicant requests approval of a design alternative for the street and driveway improvements on Auburn Folsom Road in association with the Civic Design previously approved the Skyridge Courtyard retail/office project.

James Michaels gave the staff report. On November 4, 2003, the Planning Commission considered a retail/office development proposed at the southwest corner of the Herdal Drive and Auburn Folsom Road intersection. The primary discussion for the project involved the design of the proposed access to the site from Auburn Folsom Road. The Commission noted concerns that the lane transition occurring at the driveway entrance to the site might create additional traffic problems. The Commission approved the project with a condition that the applicant would provide an appropriate street design which would be reviewed and approved by the Planning Commission at a future meeting. The applicant has now provided an alternative street design for the project and is requesting Planning Commission approval of the design.

Public Works Director Fossum responded to Commissioner's questions regarding posting speed limits and the raised median on Auburn Folsom Road to discourage left turns from the project.

The public hearing was opened.

Randy Wall of R & B Engineering, project engineer, came to the lectern to respond to questions; however the Commissioners were satisfied with the information submitted.

The public hearing was closed.

Comm. Smith **MOVED** to approve the design for the street and driveway improvements on Auburn Folsom Road for the Skyridge Courtyard project as illustrated with Exhibit "C" – 660 Auburn Folsom Road.

Comm. Hale **SECONDED**.

AYES:	Hale, McCord, Smith, Chrm. Nesbitt
NOES:	None
ABSTAIN:	None
ABSENT:	None

The motion was approved.

The chairman announced the 10-day appeal period.

C. **Variance – 1710 Ridgeview Circle (Smith Detached Garage) – File VA 03-4.** The applicant requests approval of a variance to exceed the allowable square footage for a detached accessory building (1338 square foot area) as well as to exceed the single story requirement for accessory structures.

James Michaels gave the staff report. He gave details on the proposal and advised that public hearing notices were mailed to property owners within 300 feet of the subject lot and to date no objections have been received. The Public Works and Building Departments have no objection to the request. The Community Development Department also supports the request as it complies with setback requirements for the dwelling, does not exceed the height allowed for an accessory building, and is architecturally compatible with the single family residence.

The public hearing was opened.

There was no one wishing to speak and the public hearing was closed.

Chrm. Nesbitt commented that he had visited the site and found that the structure will completely block the view from the adjacent property. He felt also that the homeowners association would object to this structure and he could not support the project.

Comm. Smith agreed, advising that he was aware of lawsuits resulting from this type of construction being allowed and he would also oppose the proposal without something in writing from the homeowner of the adjacent property stating that he has no objection to this variance being approved.

Director Wong stated that he has been working with the applicant for several months and he reiterated that staff supports this proposal as it meets the height limit for an accessory building and meets the setbacks for the main dwelling. He suggested adding a condition of approval requiring a letter of approval from the association and/or adjacent property owner.

Chrm. Nesbitt stated his belief that the adjoining lot is owned by a developer who may not fully understand the size of the building proposed. He

felt uncomfortable with an approval and preferred to continue the item until he was satisfied with the approval of the adjacent property owner.

The public hearing was reopened.

Monte Smith, applicant, advised that all neighbors within 300 feet had been notified of his proposal. He also stated he had personally spoken to the owner of the adjacent property who had no objection to the proposal. He responded to Commissioners questions, advising that this proposal has not yet been approved by the architectural review committee of the subdivision.

Comm. Smith advised the applicant that it would be to his advantage also to obtain approval in writing from the adjacent property owner as well as the homeowners association.

The public hearing was closed.

Comm. McCord **MOVED** to approve the Variance for the Smith Detached Garage; subject to prior to issuance of a building permit, applicant shall provide letters of approval from the homeowners association and adjacent property owner.

There was no second and the motion died.

Comm. Smith **MOVED** to continue this item until February 3 or February 17, 2004, subject to obtaining the letters of approval as requested.

Comm. Hale **SECONDED**.

AYES:	Hale, Smith, Chrm. Nesbitt
NOES:	McCord
ABSTAIN:	None
ABSENT:	None

The motion was approved.

D. Use Permit – 839 Marguerite Mine Road (Robinson Carport)

UP 03-5. The applicant requests approval of a Use Permit for the expansion of a nonconforming use in association with the construction of a detached carport for an existing single-family residence in the C-3 commercial zone district.

James Michaels gave the staff report. He further described the project and advised that staff supports the project.

The public hearing was opened.

Paul Ferriera, representing applicant Don Robinson, came to the lectern. There were no questions.

The public hearing was closed.

Comm. McCord **MOVED** to find the project Categorically Exempt from the California Environmental Quality Act per Section 15303 (New Construction or Conversion of Small Structures), and to approve the Use Permit for Robinson Carport – 839 Marguerite Mine Road subject to the findings and the conditions listed in Exhibit “A” of the staff report.

Comm. Hale **SECONDED**.

AYES:	Hale, McCord, Smith, Chrm. Nesbitt
NOES:	None
ABSTAIN:	None
ABSENT:	None

The motion was approved.

**ITEM VI: COMMUNITY DEVELOPMENT DEPARTMENT
FOLLOW-UP REPORTS**

A. City Council Meetings

Director Wong reviewed recent and announced upcoming City Council meetings.

B. Future Planning Commission meetings.

The next Planning Commission meeting should be February 3, 2004.

C. Reports

None.

ITEM VII: PLANNING COMMISSION REPORTS

Comm. Hale gave a report of the Traffic Committee meeting of this date.

ITEM VIII: FUTURE PLANNING COMMISSION AGENDA ITEMS

Comm. McCord stated that at a future meeting she would like the hours of construction allowed in the City to be placed on the agenda for discussion by the Planning Commission.

Chrm. Nesbitt would like a review of the Tree Ordinance to be on the next agenda for discussion.

ITEM IX: ADJOURNMENT

The meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Janet Elaine Ferro, Administrative Secretary